

108. (AS UNAMENDED) An apparatus manipulating an object displayed on a display device in response to an input device inputting a manipulation to the displayed object and producing corresponding input information, the system comprising:

a storage unit storing object information specifying the object as being subject to inertia; and

a display controller controlling changes in the displayed object in accordance with the input information and the stored object information.

109. (AS UNAMENDED) A method for simulating manipulation of a displayed object, comprising:

displaying an object;

responding to a manipulation to the displayed object, input to an input device which produces corresponding input information; and

controlling changes in the displayed object in accordance with the input information and stored object information specifying the object as being subject to inertia.

110. (AS UNAMENDED) A computer readable medium storing therein a computer program affording simulated manipulation of a displayed object by:

responding to a manipulation to the displayed object, input to an input device which produces corresponding input information; and

controlling changes in the displayed object in accordance with the input information and stored object information specifying the object as being subject to inertia.

REMARKS

In accordance with the foregoing, a few of the pending claims are amended to correct obvious typographical mistakes and without the introduction of new matter. Entry of the

Application No.: 09/149,216
Group Art Unit: 2673

Docket No. 21.1757-C-DIV

Amendments are respectfully requested. The remaining pending claims, though not further amended, are reproduced in the foregoing for the convenience of the Examiner.

The Office Action of October 12, 2000 objects to claims 2-10 as allegedly depending on a canceled claim 1 and which, therefore, are not treated on the merits in this Action.

To the contrary to the Examiner's indication, claims 2-10 were canceled in an Amendment filed September 10, 1998.

Accordingly, the claim objections of item 1 are moot.

Item 2 of the Action imposes an election requirement as between three groups of claims, as follows:

Group I: Claims drawn to simulation manipulation of a touch sensitive input device;

Group II: Claims drawn to computer readable medium storage device; and

Group III: Claims drawn to an input device to manipulate an object on a display device.

REQUEST FOR RECONSIDERATION OF ELECTION REQUIREMENT

It is respectfully submitted that all claims pending herein should be examined in the present application and that the election requirement, accordingly, should be withdrawn. Further, even if the Examiner maintains separate groupings as characterized hereinabove, nevertheless, clear errors exist in the placement of certain of the claims in the respective groups.

Further, the grouping of claims as thus set forth in the Action is submitted to be in error, based on the Examiner's own characterizations of the claim groupings.

As to the first contention, the characterization of the Group II claims, as being "drawn to computer readable medium storage device", is submitted to be inaccurate. For example, the preamble of claim 34 reads as follows:

A computer readable medium storing therein a computer program affording simulated manipulation of an object in accordance with an image of the object displayed on a display surface of a display device, said computer program comprising:

For further the preamble of claim 43 recites:

A storage medium storing a process displaying an image of an object by

Similarly, the preamble of claim 48 recites:

A computer readable medium storing therein a computer program affording simulated manipulation of an object using a displayed image of the object, said computer program comprising:

While the recitation of examples could be expanded, the point is that the medium stores a program affording the same functions which the Examiner cites as characterizing the claims of Groups I and III and hence an adequate search of one should encompass the others, as well.

In much the same context, the characterizations of the claims respectively in Groups I and III are clearly closely related, as are the claims which are respectively, separately classified into Groups I and III. For example, claim 55 in Group I recites:

A controller for use with a display device to manipulate an object displayed on the display device and an input device responsive to a touching contact relative to the displayed object and simulating said manipulation

By comparison, claim 57 classified in Group III recites:

An apparatus for use with a display device to manipulate an object displayed on the display device, the apparatus comprising:
an input device responding to a manipulation to the displayed object and producing corresponding input information;

Claim 57 presents a generic expression the “input device” of claim 55, but both specifically recite manipulation of an object displayed on a display device. Surely, a search conducted for the invention as characterized by the Examiner as to the Group III claims should include the search area of a “touch sensitive input device” of Group I.

Thus, it is submitted that the election requirement should be withdrawn.

Even if the requirement is not withdrawn, it should be corrected for the reasons noted below.

CLAIMS 78 AND 79

Claims 78 and 79 are placed in Group I by the Examiner, but depend from independent claim 77 which is placed in Group III. Claim 77 expressly recites an “apparatus for use with a display device to manipulate an object displayed on the display device...and furthermore “an input device inputting a manipulation to the displayed object...” Claim 77 thus closely relates to the characterization of the Group III claims and is appropriately placed in Group III -- and, it follows, its dependent claims 78 and 79 should likewise be placed in Group III.

CLAIMS 83-89

Claims 83-89 are placed in Group III, but method claim 90 is placed in Group I. Claim 90 is a method counterpart of the “controller” claim 89 and there are substantial similarities, as well, between claim 90 and independent apparatus claim 83.

Claim 83 expressly recites “an input device responsive to a touching contract....” Claim 89 likewise recites a display device to manipulate an object displayed on the display device and an input device, as in claim 83. Claim 90 recites “responding to a touching contact at an input device...” and other method recitations corresponding to the respective functions of the devices set forth in claims 83 and 89.

Accordingly, claims 83-90 should be included in Group I.

* * *

Application No.: 09/149,216
Group Art Unit: 2673

Docket No. 21.1757-C-DIV

Accordingly, even if applicants were to concede that the basic three groups of claims are appropriate -- which applicant does not concede but rather traverses, hereinabove -- the groups should be corrected, as follows.

Group I should include claims 11-33, 37-42, 55-56, 83-90 and 101-102.

Group II should involve claims 34-36, 43-54, 63, 70, 76, 82, 91, 100, 106 and 110.

Group III should involve claims 57-62, 64-69, 71-75, 77-81, 92-99, 103-105 and 107-109.

Applicants select Group I and, particularly, the corrected Group I as set forth hereinabove but with traverse.

If any further fees are required in connection with the filing of this Amendment, please charge same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 13, 2000

By: _____

H. J. Staas

Registration No. 22,010

700 Eleventh Street, N.W.
Suite 500
Washington, D.C. 20001
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

on November 13, 2000

for STAAS & HALSEY

By: _____

Date: 11-13-00